

IT IS HEREBY ADJUDGED
and DECREED this is SO
ORDERED.



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Dated: December 10, 2009

Sarah Curley
SARAH S. CURLEY
U.S. Bankruptcy Judge

6 Mark S. Bosco
7 State Bar No. 010167
Leonard J. McDonald
8 State Bar No. 014228
Attorneys for Movant

9 09-28240/1218077754

10 **IN THE UNITED STATES BANKRUPTCY COURT**
11 **FOR THE DISTRICT OF ARIZONA**

12 IN RE:

No. 2:09-BK-27645-SSC

13 Joseph Thomas Hesch and Lakee Jo Hesch
14 Debtors.

Chapter 7

15 The Bank of New York Mellon, fka The Bank of
New York as Successor in interest to JP Morgan
Chase Bank
16 NA as Trustee for Structured Asset Mortgage
Investments II Inc. Bear Stearns ALT-A Trust
2005-9,
17 Mortgage Pass-Through Certificates, Series 2005-9
Movant,

(Related to Docket #)

20 VS.

21 Joseph Thomas Hesch and Lakee Jo Hesch,
22 Debtors, Jill H. Ford, Trustee.

ORDER

23 Respondents.

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Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefore,

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real property which is the subject of a Deed of Trust dated July 27, 2005 and recorded in the office of the Maricopa County Recorder wherein The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank
NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9 is the current beneficiary and Joseph Thomas Hesch and Lakee Jo Hesch have an interest in, further described as:

LOT 479, OF MELROSE GARDENS N.W. UNIT SEVEN, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 144 OF MAPS, PAGE 42.

IT IS FURTHER ORDERED that Movant may contact the Debtors by telephone or written correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against Debtors if Debtors' personal liability is discharged in this bankruptcy case.

IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter to which the Debtor may convert.

DATED this ____ day of _____, 2009.

JUDGE OF THE U.S. BANKRUPTCY COURT